

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Martin RAMIREZ-Padilla,

Defendant.

Mag. Case No. **'08 MJ 8773**

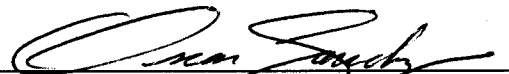
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326
Deported Alien Found In the
United States

The undersigned complainant being duly sworn states:

On or about August 25, 2008, within the Southern District of California, defendant Martin RAMIREZ-Padilla, an alien, who previously had been excluded, deported and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Senior Border Patrol Agent
Oscar Sanchez

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 26th DAY OF AUGUST 2008.


PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Martin RAMIREZ-Padilla

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the
6 statements of the apprehending Border Patrol Agent S. Palmer that
7 the defendant was found and arrested on August 25, 2008, near
8 Calexico, California.

9 Agent Palmer encountered Martin RAMIREZ-Padilla .5 miles
10 east of Calexico, California. Agent Palmer approached RAMIREZ
11 and identified herself as a United States Border Patrol Agent.
12 Agent Palmer determined through questioning, that RAMIREZ was a
13 citizen of Mexico with no immigration documents that would allow
14 him to enter into or remain in the United States legally.
15 RAMIREZ was placed under arrested.

16 Record checks revealed that an Immigration Judge ordered
17 RAMIREZ deported to Mexico from the United States on August 25,
18 2008. Record checks also revealed that RAMIREZ has an extensive
19 criminal record.

20 RAMIREZ was advised of his Miranda rights. RAMIREZ stated
21 he understood his rights and was willing to answer questions
22 without the presence of an attorney. RAMIREZ stated he had been
23 previously deported by an Immigration Judge. RAMIREZ stated he
24 no longer has Immigration documents that would allow him to
25 reside or work in the United States. RAMIREZ stated he entered
26 into the United States illegally.

27 There is no evidence that RAMIREZ has sought or received
28 permission from the United States Attorney General or the
Secretary of the Department of Homeland Security to re-enter the
United States.